EXHIBIT E

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 1              IN THE UNITED STATES DISTRICT COURT

 2            FOR THE EASTERN DISTRICT OF VIRGINIA

 3                     RICHMOND DIVISION

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 5                                         :
        ePLUS, INC.                        :   Civil Action No.
 6                                         :   3:09CV620
        vs.                                :
 7                                         :
        LAWSON SOFTWARE, INC.              :   September 7, 2010
 8                                         :
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           COMPLETE TRANSCRIPT OF THE MOTIONS HEARING
11
              BEFORE THE HONORABLE ROBERT E. PAYNE
12
                  UNITED STATES DISTRICT JUDGE
13


14      APPEARANCES:

15      Scott L. Robertson, Esquire
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22      Counsel for the plaintiff

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24                      Peppy Peterson, RPR
                      Official Court Reporter
25                  United States District Court
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1   especially in light of this Court's rulings with regard to the

2   prior versions and reference those. Thank you.

3   THE COURT: I issued the opinion or the order that I

4   issued allowing the extra experts for Lawson, and it never

5   crossed my mind that one expert would be substituted for

6   another, nor do I think that anything I said or did reasonably

7   could have led to that result, and there was to be an expert

8   who was to address just the source codes.

9   Now, what's happened is that Lawson has taken

10   advantage of the situation, has gone well beyond what it is

11   that I ordered and contemplated. I think I made that clear,

12   and the bottom line is that Staats and Knuth aren't going to

13   testify. I'm going back to where I was. I didn't give you all

14   free rein to go out and get new experts and change the game at

15   the end of the time. I was trying to allow some equity into a

16   situation.

17   If, in fact, Knuth can testify just to source code,

18   then I suppose it's all right to let him testify to that. Is

19   there a part of his report where he testifies just to source

20   code, and that's all, and responds to Hilliard -- is it

21   Hilliard or Niemeyer? Niemeyer is the source code. Responds

22   to Niemeyer?

23   MR. ROBERTSON: There are paragraphs, to be fair,

24   Your Honor, that do that. Now, we might have a debate over

25   which ones fairly respond to Niemeyer and which don't --

1   THE COURT: All right. For now I'm denying that -- I

2   think it's your motion number two? Yeah, Lawson's motion

3   number two, I believe it is. Whichever one it is, I'm denying

4   it as without prejudice to raising a motion at trial on Rule 50

5   if it's appropriate. All right, is there anything else?

6   MR. ROBERTSON: Not for the plaintiff, Your Honor.

7   THE COURT: Let's plan to do this: Let's plan to

8   select the jury on the 29th in the afternoon on that case.

9   Then you can start your trial or evidence.

10   THE CLERK: 29th, you said the afternoon. Did you

11   say a time?

12   THE COURT: Let's start at 1:30.

13   THE CLERK: All right, sir.

14   THE COURT: All right, is there anything else that we

15   need to do? All right, we'll be in adjournment. Thank you.

16

17   (End of proceedings.)

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20   I certify that the foregoing is a correct transcript

21   from the record of proceedings in the above-entitled matter.

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24   _____/s/_____   _____
       P. E. Peterson, RPR   Date
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